



CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date 07/15/99

Agenda Item 1

TO: Planning Commission

FROM: Tim Koonze, Development Review Specialist

SUBJECT: TENTATIVE PARCEL MAP 7460 - Sukhdev Kapur and Rana Ahmed (APPLICANT/OWNER) - Request to subdivide a .8±-acre parcel into three single-family parcels ranging in size from 10,270± to 14,650± square-feet

The property is located on the southeast corner of University Court and Campus Drive in an RS (Single-Family Residential) District.

RECOMMENDATION

That the Planning Commission:

1. Find that the project is Categorically Exempt from CEQA;
2. Approve Tentative Parcel Map 7460 based on the attached findings and conditions of approval.

DISCUSSION:

The site is a tear-drop shaped vacant property, located at the corner of University Court and Campus Drive. The buildable "mesa-like" portion of the lot is elevated 15 feet above the street at the corner of Campus Drive and University Court. This elevation difference diminishes as Campus Drive proceeds up the hill.

Approval of the parcel map would allow three homes to be constructed and sold separately where currently a maximum of two would be allowed under a single ownership. The application does not include the construction of any homes as part of this proposal. The design of future homes is subject to site plan review.

The site is surrounded by single-family homes with the exception of the Campus Ministry Center near the southern portion of the project.

University Court is a dead-end street that has a 40-foot-wide right-of-way but widens considerably across the frontage of the subject property. The street currently serves 24 residential properties and, according to the Transportation Development Manager, can adequately serve traffic from the proposed lots. Both street frontages will be improved with curb, gutter and sidewalk prior to the connection of utilities to homes.

Access to the parcels will be via a 27-foot-wide common driveway from University Court. The driveway will be along the eastern property line utilizing retaining walls where necessary. The driveway will have an 18-foot-wide paved travel way, a 5-foot-wide landscape strip along the eastern property line and a 4-foot-wide sidewalk in front of the home sites. The driveway and retaining wall designs conform to City standards and the Hillside Guidelines. The proposed driveway is partially obstructed by a guy wire that provides support to a joint pole located on University Court at the north east corner of the property. The joint pole must either be relocated or the support wire modified.

Water, sewer, and storm drain mains within the abutting streets have adequate capacity to serve the project. Each home will have individual water meters and sanitary sewer laterals. The Fire Department is requiring future homes to be equipped with automatic fire sprinkler systems. To provide adequate fire protection, either a new fire hydrant must be installed along the property frontage or the existing fire hydrant, located on the other side of University Court, must be relocated to the property frontage.

There are no trees within the buildable portion of the site which has a slope of 12 to 13 percent. Trees exist within the slopes abutting Campus Drive and University Court. Prior to approval of the parcel map a tree survey and arborist report will be required in order to assure preservation of these trees, especially in cases where slope repair is necessary. No trees are proposed to be removed as a result of this parcel map.

In 1981 and 1989 the City reviewed two separate preliminary soils reports for this site in conjunction with previous development proposals which determined that the site was suitable for construction. Prior to approval of the parcel map, an updated soil report will be required and its recommendations incorporated in the development of the property, including any necessary slope repair, planting of slope stabilizing vegetation and tree preservation measures. The grading for future homes will be reviewed for conformance to the Hillside Guidelines.

The parcel map will include a 15-foot-wide non-buildable easement along the top of the slope to soften the visual appearance of development from Campus Drive. Although no buildings or solid fencing can be constructed within the easement, a decorative open fence may be installed within the easement, subject to approval of the design by the Planning Director.

Conformance to the General Plan, Hayward Highlands Neighborhood Plan and Zoning Ordinance:

The site is designated as Residential Low Density (4.3 - 8.7 dwelling units per acre) on the *General Plan Map*, within a Single-Family Residential (RS) District. The project is consistent with these designations in that three lots are proposed at a density of 3.8 units per acre.

The project is in conformance with the *Hayward Highlands Neighborhood Plan*, Land Use, Policy 1, in that the proposed parcels are consistent in size, scale and appearance with the surrounding neighborhood and encourages owner occupied housing. It is consistent with Neighborhood Character, Policy 1, in that the new development will respect the existing semi-rural character by creating lots larger than 10,000 square-feet.

ENVIRONMENTAL REVIEW

The project is exempt from environmental review as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15332 In-Fill Development Projects. A Notice of Exemption was prepared June 22, 1999.

PUBLIC HEARING NOTICE

On May 18, 1999, a notice was mailed to all property owners within 300 feet of the subject property, abutting residents and all interested parties regarding a preliminary meeting. On June 3, 1999, the public meeting was held and two citizens attended.

One attendee spoke favorably of the project but expressed concerns of adequate parking and sufficient fire protection. The other citizen did not support the project stating that University Court cannot accommodate the traffic generated from the project nor provide adequate parking and that the subdivision would create a density that is inconsistent with the area. Another neighbor telephoned to express similar concerns.

The Transportation Development Manager has determined that University Court can accommodate the two additional units and that adequate parking can be provided by requiring three on-site parking spaces for each parcel and utilizing the four on-street parking spaces available along the University Court frontage. There is no parking allowed on Campus Drive.

Given the relatively small size of the parcel, the Fire Department is not requiring a fire truck turnaround area. Adequate fire protection will be achieved by providing automatic fire sprinkler systems within future homes and relocating or installing a fire hydrant along the University Court frontage.

Staff finds that the proposed parcels are consistent in size with the other parcels in the neighborhood and with the majority of the parcels directly across Campus Drive. There are a few larger parcels in the vicinity of the project but a majority of these are heavily vegetated and slope steeply downward toward Ward Creek.

At the preliminary meeting neighbors expressed concern that not every resident on University Court was notified of the preliminary meeting because they were outside of the 300-foot mailing radius. In response to these concerns, noticing for the Planning Commission hearing was expanded to include all owners and occupants on University Court between Highland Boulevard and the subject property, in addition to the normal 300-foot radius mailing. The Planning Commission hearing notice was published on June 29, 1999, in the "Daily Review."


CONCLUSION

The project is compatible with the surrounding residential land uses and is consistent with the *General Plan Map* designation and the requirements of the Single-Family Residential Density (RS) District. Approval of the tentative map will allow construction of three single-family homes which fulfills the City's goals to create ownership housing opportunities.

Prepared by:

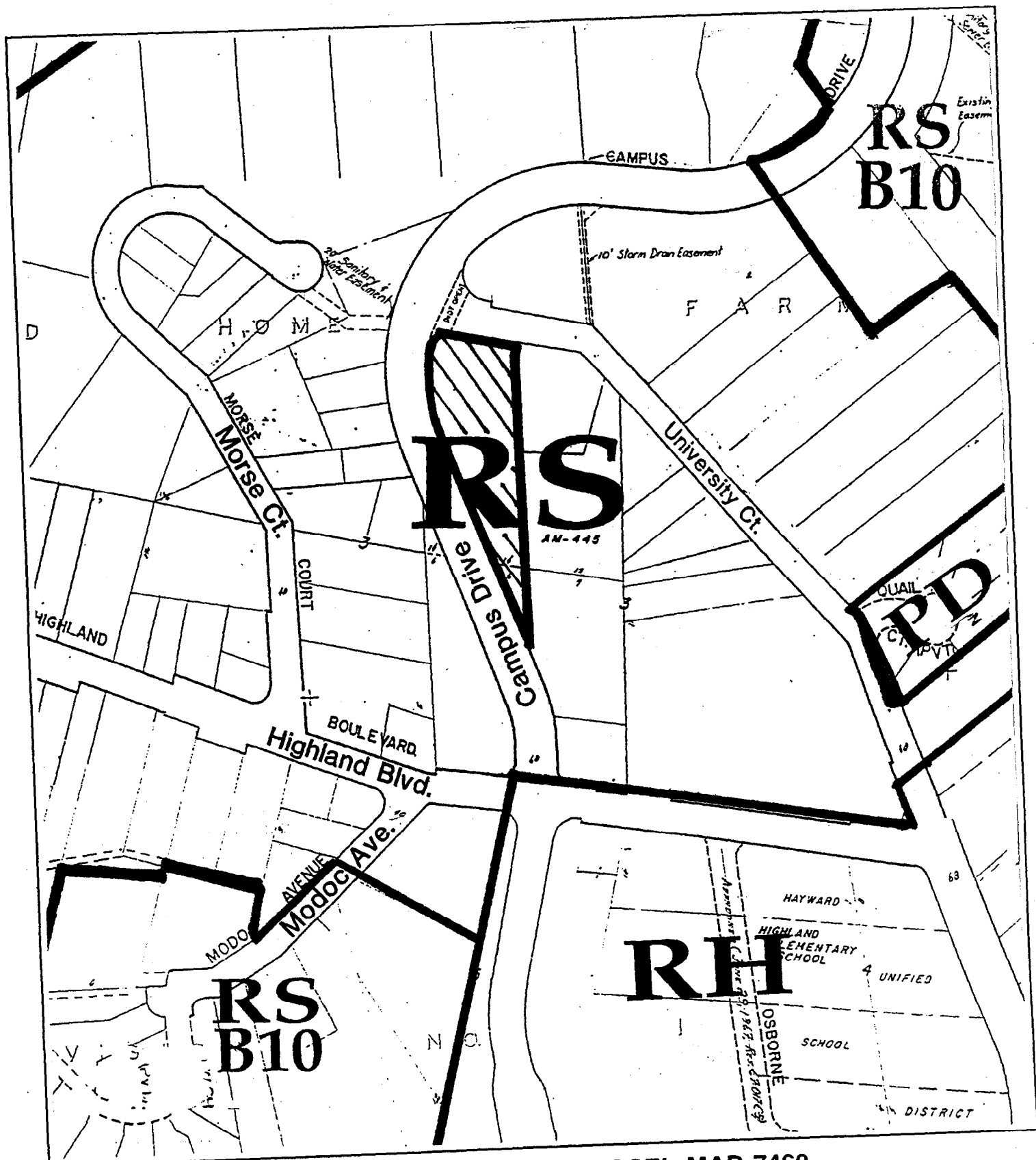

Tim Koonze
Development Review Specialist

Recommended by:


Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area and Zoning Map
 - B. Findings for Approval - Tentative Parcel Map 7460
 - C. Conditions of Approval - Tentative Parcel Map 7460
- Tentative Parcel Map 7460



ZONING/AREA MAP ■ PARCEL MAP 7460

Sukhdev S. Kuper
University Court at Campus Drive

ATTACHMENT A

**FINDINGS FOR APPROVAL
TENTATIVE PARCEL MAP 7460**

- A. The tentative parcel map is categorically exempt per California Environmental Quality Act (CEQA), Section 15332, In-Fill Development Projects.
- B. The tentative parcel map, as conditioned, substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Policies Plan, the Hillside Design Guidelines and the Hayward Hills Neighborhood Plan.
- C. The site is physically suitable for the proposed type of development.
- D. The design of the subdivision and the proposed improvements are **not** likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- E. The design of the subdivision and the proposed improvements are **not** likely to cause serious health problems.
- F. Existing streets and utilities are adequate to serve the project.
- G. None of the findings set forth in Section 64474 of the Subdivision Map Act have been made, and the approval of the tentative parcel map is granted subject to the recommended conditions of approval.

¹ The findings of Section 66474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

ATTACHMENT B

**CONDITIONS OF APPROVAL
TENTATIVE PARCEL MAP 7460**

Prior to Recordation of the Parcel Map:

1. The parcel map shall indicate a 15-foot-wide non-buildable easement adjacent to the top of the slope that exists along the Campus Drive and University Court frontages.
2. The parcel map shall dedicate a 6-foot-wide public utility easement abutting the Campus Drive and University Court right-of-ways.
3. The property owner shall enter into a subdivision agreement to install concrete sidewalk, curb, gutter, and tie-in paving along the Campus Drive and University Court property frontages. The agreement shall state that the improvements are to be installed prior to issuance of a certificate of occupancy for any of the three parcels.
4. A covenant shall be recorded concurrently with the map and shall include the following requirements:
 - a. Each house shall be equipped with an automatic fire sprinkler per NFPA 13—D (modified) standards. Fire protection shall be installed within the garages, attics, under crawl spaces, foyers, and other areas where deemed necessary by the Fire Marshall.
 - b. All structures shall meet the requirements of the City of Hayward Wildlife/Urban Interface Guidelines.
 - c. Building construction shall meet the requirements indicated for Category I structures, which includes, Class A roofing materials, exterior non-combustible siding, enclosed eaves, etc.
 - d. Three on-site parking spaces, located within the required setback area, shall be provided for each parcel. Two of these spaces shall be located within a garage.
 - e. A vehicle turnaround shall be provided for each on-site parking space so cars can exit the project site without backing out onto University Court. The design and location of the garage and parking spaces is subject to approval at the time of site plan review.

ATTACHMENT C

- f. Decorative open fencing may be located at the top of the slopes adjacent to Campus Drive and University Court, however, solid fencing must be setback 15 feet from the top of slope, outside the non-buildable easement as identified on Parcel Map 7460. The design and location of the fencing are subject to approval at the time of site plan review.
- g. Prior to connection of utilities of any building constructed on the parcels created by Parcel Map 7460, access shall be provided to all three parcels via a 27-foot-wide common access driveway that provides an 18-foot-wide paved travel way, a 5-foot-wide landscape strip along the eastern property line, a 4-foot-wide sidewalk abutting the west side of the driveway and necessary retaining walls. The retaining walls shall have a decorative design approved by the Planning Director.

The access driveway shall be constructed in substantial conformance with the approved map. The driveway grade shall not exceed 20 percent and shall be engineered to withstand a Gross Vehicle Weight of 50,000 lbs. There shall be no parking on the access driveway and "No Parking" signs shall be posted at locations approved by the Fire Marshall.

- h. A separate maintenance agreement shall be recorded with the sale of each parcel that establishes an agreement to maintain the driveway, sidewalk, retaining walls and parking signs described in Parcel Map 7460 Condition of Approval 4 (g). Each property shall equally share the maintenance cost of these improvements.

- 5. A preliminary soils report must be approved by the City Engineer.
- 6. A tree survey and arborist report must be submitted to assure preservation of the trees within the slope adjacent to Campus Drive and University Court.

Prior to the Commencement of Grading or the Issuance of a Building Permit

- 7. Houses and fences shall meet all City Design Guidelines and policies including three on-site parking spaces and an adequate vehicle turnaround area.
- 8. If the soils report indicates the need for slope repair, a detailed plan shall be submitted for each parcel that includes slope repair work, the placement of slope stabilizing vegetation, and a tree preservation plan to preserve the trees that exist on the slope.

Prior to Construction of Combustible Materials

9. A new fire hydrant shall be installed along the University Court frontage or the existing fire hydrant, located on the other side of University Court, shall be relocated to the University Court property frontage.

Prior to connection of Utilities

10. Curb, gutter, sidewalk, and tie-in paving shall be installed across the Campus Drive and University Court property frontages per the subdivision agreement (see condition no. 3).
11. The joint pole and guy wire support, located at the northeast corner of the property, shall be put underground, relocated or the guy wire support modified so as to not conflict with the proposed driveway. The design shall be approved by PG&E and the City Engineer.